



PATENT
Docket No. USPTO 89709
137 JFP
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Johnston William McAvoy
and Coral Gwenda Chamberlain

Serial No.: 08/648,092

Filed: May 17, 1996

Title: A METHOD FOR PREVENTING
OR CONTROLLING CATARACT

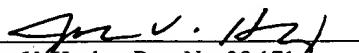
Date: August 6, 2002

Examiner: Z. Fay

Group Art Unit: 1614

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John V. Hanley, Reg. No. 38,171

RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is in response to the Office action dated May 7, 2002.

REMARKS

In the outstanding Office action, pending claims 14-28 and 34-38 were rejected under 35 U.S.C. § 103 as being unpatentable over WO 94/01124. In rejecting the claims, the Examiner indicated that the WO 94/01124 patent teaches the use of the claimed transforming growth factor for the treatment of cataract. It is respectfully submitted, however, that WO 94/01124 actually teaches away from the subject matter claimed in the present application. WO 94/00124 discloses a method for the treatment of ophthalmic disorders which involves application of an effective amount of TGF β to the affected region, whereas the method recited in the pending claims of the present application involve administrating an effective amount of an inhibitor of TGF β .

Serial No.: 08/648,092

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Therefore, it is respectfully submitted that claims 14-28 and 34-38 are not obvious in view of
WO 94/01124 and that they should be allowed over the cited art.

Applicant has attempted to completely respond to the outstanding Office action. In view
of the above remarks, it is respectfully requested that the present application be allowed and
passed to issue.

Respectfully submitted,

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